



Order Filed on August 12, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1
McMANIMON, SCOTLAND & BAUMANN, LLC
427 Riverview Plaza
Trenton, NJ 08611
(609) 695-6070
Andrea Dobin (adobin@msbnj.com)
Michael A. Siravo IV (msiravo@msbnj.com)
Counsel to Andrea Dobin, Chapter 7 Trustee

In re:

MARK B. ENGEL,

Debtor.

Case No. 19-20646 (KCF)

Chapter 7

Honorable Kathryn C. Ferguson, U.S.B.J.

**ORDER GRANTING LIMITED RELIEF FROM THE
AUTOMATIC STAY TO PROCEED WITH PROBATE
COMPLAINT AGAINST DEBTOR**

The relief set forth on the following page, numbered two (2), is hereby **ORDERED**.

DATED: August 12, 2020


Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

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Debtor: Mark B. Engel
Case No.: 19-20646 (KCF)
Caption of Order: Order Granting Limited Relief from the Automatic Stay to Proceed with
Probate Complaint Against the Debtor

THIS MATTER having been opened to the Court by Neil Engel, Lori Engel, Brian Engel and Jason Engel (the “Movants”) by and through their counsel, Law Offices of Peter C. Lucas, LLC, upon the filing of a Motion for Relief from the Automatic Stay to Allow Movants to Proceed with Probate Complaint (the “Motion”); and due and proper notice of the Motion having been given; and the Chapter 7 Trustee, Andrea Dobin, having interposed a limited objection by her counsel McManimon Scotland & Baumann, LLC; and the Court having considered the papers in support of the Motion and Trustee’s limited objection; and the Court having heard oral argument on the return date of the Motion and for the reasons set forth on the record granting of the relief as set forth herein;

IT IS ORDERED that the Motion is **GRANTED IN PART**; and it is further

ORDERED that Movants are granted relief from the automatic stay to initiate a complaint in the Superior Court of New Jersey, Chancery Division, Probate Part, in the Estate of Martha R. Engel seeking the following relief:

- a. Removal of the Debtor as Executor;
- b. Obtaining an Accounting of the Probate Estate from the Debtor;
- c. Investigating the financial affairs of the Debtor and/or Martha R. Engel, focusing on transactions involving both of these parties and/or their assets;

and it is further

ORDERED that Movants reserve the right to seek additional relief from the automatic stay to pursue other remedies against the Debtor and/or the Bankruptcy Estate.

Certificate of Notice Page 3 of 3

United States Bankruptcy Court
District of New JerseyIn re:
Mark B. Engel
DebtorCase No. 19-20646-KCF
Chapter 7**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 1

Date Rcvd: Aug 12, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 14, 2020.

db Mark B. Engel, 40 Steven Ln, Lakewood, NJ 08701-1545

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 14, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 12, 2020 at the address(es) listed below:

Andrea Dobin on behalf of Trustee Andrea Dobin adobin@msbnj.com
 Andrea Dobin ecftrusteead@msbnj.com, NJ55@ecfcbis.com
 Brian E Caine on behalf of Creditor U.S. Bank National Association, not in its individual capacity but solely as Trustee for the RMAC Trust, Series 2016-CTT bcaine@parkermccay.com, BKcourtnotices@parkermccay.com
 Denise E. Carlon on behalf of Creditor VW Credit Inc. dba Audi Financial Services dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
 Elizabeth K. Holdren on behalf of Creditor NewRez LLC d/b/a Shellpoint Mortgage Servicing as servicer for MTGLQ Investors, L.P. eholdren@hillwallack.com, jhanley@hillwallack.com/hwbknj@hillwallack.com
 Kevin Gordon McDonald on behalf of Creditor MTGLQ INVESTORS, LP kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com
 Lauren Bielskie on behalf of U.S. Trustee U.S. Trustee lauren.bielskie@usdoj.gov
 Mark A. Roney on behalf of Creditor NewRez LLC d/b/a Shellpoint Mortgage Servicing as servicer for MTGLQ Investors, L.P. mroney@hillwallack.com, fmansmann@hillwallack.com
 Michael A. Siravo, IV on behalf of Trustee Andrea Dobin msiravo@msbnj.com, msiravo@trenklawfirm.com
 Peter C. Lucas on behalf of Attorney Peter Lucas peter@lucaslawoffices.com
 Rebecca Ann Solarz on behalf of Creditor MTGLQ INVESTORS, LP rsolarz@kmlawgroup.com
 Timothy P. Neumann on behalf of Debtor Mark B. Engel timothy.neumann25@gmail.com, btassillo@aol.com;geoff.neumann@bnfsbankruptcy.com;geoff.neumann@gmail.com
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov
 United States Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 14